

David j. Kaminski (SBN: 128509)
Kaminskid@cmtlaw.com
J. Grace Felipe (SBN: 190893)
Felipeg@cmtlaw.com
CARLSON & MESSER LLP
5959 West Century Boulevard, Suite 1214
Los Angeles, California 90045
Telephone: (310) 242-2200
Facsimile: (310) 242-2222

Attorneys for Defendant
GILA, LLC DBA MUNICIPAL
SERVICES BUREAU

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

DONNA BURTON,

Plaintiff,

vs.

**GILA, LLC DBA MUNICIPAL
SERVICES BUREAU,**

Defendant.

Case No.

NOTICE OF REMOVAL

Defendant GILA, LLC DBA MUNICIPAL SERVICES BUREAU hereby files this notice of removal under 28 U.S.C. §1446(a).

I. INTRODUCTION

1. The parties to this action are Plaintiff, DONNA BURTON (“Plaintiff”) and Defendant GILA, LLC DBA MUNICIPAL SERVICES BUREAU (“Defendant”).

2. Upon information and belief, Plaintiff filed this case on September 26, 2016, in the Superior Court of California, County of Mendocino-Unlimited Jurisdiction, Case No. MCUK-CVUD-16-13334. A true and correct copy of Plaintiff’s Summons and Complaint is attached hereto as Exhibit “A.”

3. On or about October 6, 2016, Plaintiff personally served Defendant with the Summons and a copy of Plaintiff's Complaint, Certificate of Counsel and Civil Cover Sheet (a true and correct copy of which are collectively attached hereto as Exhibit "A").

4. As Plaintiff served the Complaint on October 6, 2016 Defendant files this notice of removal within the 30-day time period required by 28 U.S.C. §1446(b), and as extended via *Federal Rule of Civil Procedure* 6. See *Wells v. Gateways Hosp. & Mental Health Ctr.*, 1996 U.S. App. LEXIS 2287 at *2 (9th Cir. Cal. Jan. 30, 1966).

II. BASIS FOR REMOVAL

5. Removal is proper because Plaintiff's Complaint involves a federal question. 28 U.S.C. §§1331, 1441(b); *Long v. Bando Mfg. of Am., Inc.*, 201 F.3d 754, 757-58 (6th Cir. 2000); *Peters v. Union Pac. R.R.*, 80 F.3d 257, 260 (8th Cir. 1996). Specifically, Plaintiffs have alleged claims that arise under 15 U.S.C. § 1692, *et seq.* for alleged violations of the Fair Debt Collection Practices Act. It is therefore an action of which this Court has original jurisdiction under 28 U.S.C. § 1331, and may be removed to this Court by Defendant pursuant to the provisions of 28 U.S.C. § 1441(a). This Court also has supplemental jurisdiction over Plaintiff's state claims pursuant to 28 U.S.C. § 1367.

6. Venue is proper in this district under 28 U.S.C. §1441(a) because this district and division embrace the place where the removed action has been pending.

7. Defendant will promptly file a copy of this notice of removal with the clerk of the state court where the action has been pending.

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III. JURY DEMAND

8. Plaintiff demands a jury in the state court action. Defendant does not demand a jury trial.

IV. CONCLUSION

9. Defendant respectfully requests removal of this action as it involves a Federal question under the Fair Debt Collection Practices Act, 15 U.S.C. §1692, *et seq.*

Dated: November 4, 2016

Carlson & Messer LLP

By: /s/ J. Grace Felipe
David j. Kaminski
J. Grace Felipe
Attorneys for Defendant,
GILA, LLC DBA MUNICIPAL
SERVICE BUREAU